

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES HENRY FLOURNOY, P00154293,

Plaintiff,

v.

MARIN COUNTY BOARD OF
SUPERVISORS, et al.,

Defendant(s).

Case No. [22-cv-05816-CRB](#) (PR)

ORDER OF DISMISSAL

On February 24, 2023, the court dismissed plaintiff's pro se prisoner complaint under 42 U.S.C. § 1983 with leave to amend to set forth specific facts sufficient to state viable claims of (1) deliberate indifference to serious medical needs in connection with the suspension of his prescription for Suboxone and of (2) retaliation after he arrived at Marin County Jail (MCJ) on July 8, 2022 against MCJ deputies Vanderlind, Desoto and Husk, Dr. Basu and nurses John, Joey and Singh (and any other viable claim against the same defendants), if possible.¹ The court warned plaintiff that "[f]ailure to file a proper amended complaint within [28 days] will result in the dismissal of this action." ECF No. 5 at 4.


On March 24 and 29, 2023, plaintiff filed motions seeking an extension of time to file a First Amended Complaint (FAC), and on March 31, 2023, the court granted plaintiff an extension of time to file a FAC "by no later than May 5, 2023," ECF No. 11 at 1.

But a week after May 5, 2023, plaintiff has neither filed a FAC nor sought another extension of time to do so. This action accordingly is DISMISSED without prejudice.

The clerk is directed to close the case and terminate all pending motions as moot.

IT IS SO ORDERED.

Dated: May 11, 2023


CHARLES R. BREYER
United States District Judge

¹ The court dismissed plaintiff's unrelated claims against different defendants without prejudice to bringing in separate actions.